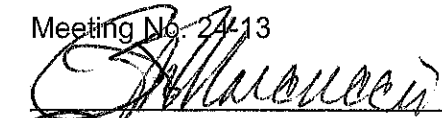
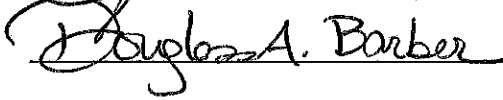


Approved: Meeting No. 24-13

Attest:

MAYOR AND COUNCIL
ROCKVILLE, MARYLAND

April 22, 2013
Meeting No. 14-13
7:00 p.m.

Executive Session pursuant to Section 10-508(a)(7) of the State Government Article of the Annotated Code of Maryland to consult with counsel to obtain legal advice regarding Town Center Management.

The Mayor and Council met in Executive Session on April 1, 2013, at 6:02 p.m. in the Diamond Back Terrapin Conference Room, City Hall, 111 Maryland Avenue, Rockville, Maryland.

Councilmember Pierzchala made the motion to convene in Executive Session seconded by Councilmember Hall and passed unanimously.

Present at the Executive Session were Mayor Phyllis Marcuccio, Councilmember John F. Hall, Jr., Councilmember Tom Moore, Councilmember Bridget Donnell Newton, and Councilmember Mark Pierzchala. Also present were City Manager Barbara Matthews, City Clerk/Treasurer Doug Barber, City Attorney Debra Daniel, Senior Assistant City Attorney Marcy Waxman, City Staff and Town Square Condominiums Board Member Lew Dronenberg, and Director of Finance Gavin Cohen.

The topic of discussion was Town Center Management. The Mayor and Council adjourned the Executive Session at 6:46 p.m.

Present:

Mayor Phyllis Marcuccio, Councilmember John F. Hall, Jr., Councilmember Tom Moore, Councilmember Bridget Donnell Newton, and Councilmember Mark Pierzchala.

Staff Present:

City Manager Barbara Matthews, City Clerk/Treasurer Doug Barber, and City Attorney Debra Daniel.

1. Convene

The Mayor and Council convened in a regular meeting at 7:02 p.m. on Monday, April 22 2013, in the Mayor and Council Chambers, City Hall, 111 Maryland Avenue, Rockville, Maryland.

2. Pledge of Allegiance

Mayor Marcuccio led the Pledge of Allegiance.

3. Agenda Review

There were no changes to the agenda.

4. City Manager's Report

City Manager Matthews reported:

- Information provided to the Mayor and Council on Agenda Item - Work Session # 3 scheduled for April 29, 2013, for their review prior to information being posted online.
- On April 18, 2013, the Maryland Heritage Area Authority Board voted to include the areas outlined in our amendment as part of the Montgomery County Heritage Area. Ms. Matthew's thanked Historic Preservation Planner Ziek for her work on the project.
- On April 27, 2013, the City of Rockville will be hosting the Spring Festival and Native Plant Sale at Croydon Creek Nature Center.
- Thanked IT Director Cannon for his 14 years of services to the City of Rockville, noting that Mr. Cannon had accepted another employment opportunity, with his last day being Friday, April 26th.

5. Appointments/Reappointments and Announcements of Vacancies

Mayor Marcuccio announced that there are vacancies on the following boards and/or commissions: Board of Appeals, Financial Advisory Board, Historic District Commission, Human Services Advisory Commission, Human Rights Commission, Landlord Tenant Affairs Commission, Human Rights Commission, Planning Commission, and the Retirement Board.

6. Citizen's Forum

<i>Citizen</i>	<i>Issue</i>
Phyllis Wallenmeyer	Anderson Avenue Drainage Update
Jose Linan	Paying Police tickets with a credit card
Beryl Feinberg	Funding for Caregiver Grants in the FY14 Budget
Sue Adams	Anderson Avenue Drainage Update

7. Mayor and Council's Response to Citizen's Forum and Announcements

Mayor Marcuccio requested staff provide clarification and a clear understanding of Option # 1 being discussed for the Anderson Avenue Drainage item. City Manager Matthews responded and advised the Mayor and Council that Option # 1 is the sidewalk construction only option.

8. Mayor and Council Reports

Councilmember Newton said that she, along with Mayor Marcuccio, City Manager Matthews, and Assistant to the City Manager Moran, had traveled to Capitol Hill, Washington, D.C. on Wednesday, April 17, 2013, to meet with legislators regarding Rockville's agreed upon legislative priorities. Councilmember Newton also attended the Maryland Municipal League's Montgomery Chapter meeting held in the Town of Laytonsville, Maryland.

Mayor Marcuccio said she was very proud of the Heritage designation, as she had attended the Maryland Heritage Area Board meeting, on April 18, 2013, and noted that Rockville is now a definite tourist destination.

9. Consent Agenda - Approval of Minutes

The following minutes were presented for approval:

Meeting 34-12 (October 22, 2012)
Meeting 38-12 (December 3, 2012)
Meeting 39-12 (December 10, 2012)
Meeting 40-12 (December 17, 2012)
Meeting 01-13 (January 7, 2013)

Motion: to approve the Consent Agenda

Moved by Councilmember Hall, seconded by Councilmember Newton, and passed unanimously.

10. Presentation - Countywide Transit Corridors Functional Master Plan

City Planner III Wallas provided a brief overview of the Countywide Transit Corridors Functional Master Plan. Ms. Wallas noted that the item will come back to the Mayor and Council for discussion and instruction at their May 6, 2013, meeting. The County Planning Board Public Hearing is scheduled for May 16, 2013, and public comment is invited. No date has been set for the public record to close, but the record may close as early as May 16, 2013, after which the Planning Board will hold worksessions and finalize its recommended plan to the County Council. The Plan must ultimately be approved by the County Council in order to take effect. This is a first step necessary to implement the proposed transit system.

Mr. Larry Cole, Master Planner in the Functional Planning and Policy Division of the Montgomery County Park and Planning Department, addressed the Mayor and Council and presented the Countywide Transit Corridors Functional Master Plan (CTCFMP). Mr. Cole made the following key points:

Montgomery County Demographic and Travel – 2040 Forecast Summary based on 2013 CLRP

- Growth in Population – Increase by 21% by 2040
- Employment Growth – Increase of 39% by 2040
- Vehicles Miles Travel – Increase of 22% by 2040
- Lane Miles – Increase by 5% by 2040
- Lane Miles of Congestion – Increase by 70% by 2040

Bus Rapid Transit (BRT) as part of the solution to future transportation challenges

Includes:

- Enhanced Stations
- Level Boarding Areas
- Off-Vehicle Fare Collection
- Real Time Transit Information*
- "Branded" Vehicles
- Dedicated Bus Lane (noted as a key focal point)

What the Functional Plan Will Include:

- Designation of transit corridors with specified rights-of-ways
- Dedicated bus lanes and general traffic lanes
- BRT station locations by intersection
- Designation of Bicycle-Pedestrian Priority Areas around major stations
- American with Disabilities Act (ADA) Best Practices – compatible pedestrian facilities
- Bicycle Accommodations
- Third MARC track west of Metropolitan Grove

What the Functional Plan Will Not Include:

- BRT service routes or hours of service
- Types of Buses to be used
- Redeployment of local buses (neighborhoods)
- Bus storage and maintenance facilities
- Parking facilities
- Any additional traffic signals needed
- Right-of-Way (ROW) for any auxiliary lanes needed
- Exact locations for placement of station ROW templates
- Environmental impacts

Mr. Cole noted that each of the above points are large discussions points on their own.

Where are we in the Process:

- Noted the development of the BRT Network and the step-by-step process being followed for the project; with specifics to where we are in the process and proposed next steps in relationship to what is currently funded and not funded.
- Ridership would need to increase to see the full implementation of the project

Schedule:

- April 4, 2013, the Planning Board approved advertisement of Public Hearing draft, which begins a 30-day review period
- May 16, 2013, the Planning Board will hold a Public Hearing
- June 2013, the Planning Board will hold worksessions (three have been scheduled for June 6th, June 20th, and June 27th) on the Functional Plan
- July 25, 2013, the Planning Board is scheduled to deliver Planning Board Draft to County Council and Council Executive; which begins a 60-day review period
- Fall-Winter 2013, the County Council will approve the Master Plan
- Fall-Winter 2013, the Maryland-National Capital Park and Planning Commission (M-NCPPC) adopts the approved Master Plan

Overview of Recommended Transit Corridor Network/Transit Corridors Located in Rockville

- 10 (BRT) Corridors, three of which are partially in Rockville
 - Corridor 3 – MD 355 North
 - Corridor 4 – MD 355 South
 - Corridor 10 – Veirs Mill road (MD 586)
- Transportation Modeling
 - Scenarios discussed (Build 1; Build 2; Build 2A) and noted variations between the different builds
- Network and Treatment Considerations
 - Corridor Function/Forecast Peak-Hour Ridership will equal Initial Corridor Treatment
 - Transit Corridor Network
 - BRT Demand
 - Impacts on Other Traffic
 - Property Impacts
 - Local Bus Demand
 - Network Integrity
 - Bus Speed

Mr. Cole provided highlights on the proposed Rockville Transit Corridors with regards to daily boarding's and hourly ridership in the peak direction.

Mr. Cole highlighted the three corridors:

MD 355 North (BRT Stations in the City of Rockville)

- Shady Grove Road
- King Farm Boulevard
- Gude Drive
- Mannakee Street/Montgomery College
- Rockville Metro Station

MD 355 South (BRT Stations in the City of Rockville)

- Rockville Metro Station
- Edmonston Drive
- Halpine Road
- Hubbard Drive

Veirs Mill Road (BRT Stations in the City of Rockville)

- Rockville Metro Station
- Norbeck Road
- Broadwood Drive
- Twinbrook Parkway

Councilmember Hall requested that the Mayor and Council hear the comments from the City of Rockville Traffic and Transportation Commission and the City of Rockville Planning Commission on this proposal. He noted the tight timeframe. Assistant Director Gunning, Department of Community Planning and Development Services (CPDS) provided clarification as to when the two requested commissions will be able to provide comments back to the Mayor and Council, as it is on both of their upcoming meeting agendas. Councilmember Hall requested clarification to the spacing of the stations on the lines.

The next step in the process is a scheduled Discussion and Instruction session for the Mayor and Council at their May 6, 2013, meeting.

Mr. Cole provided clarification with the BRT in conjunction with the current bus system and the coordination with Washington Metropolitan Area Transit Authority (WMATA) and noted that the proposed BRT is being considered to be complementary to METRO and not in a competition. Mr. Cole closed by summarizing his report and responding to questions of clarification posed by the Mayor and Council.

11. Anderson Avenue - Drainage Update

Director of Public Works Simoneau, provided the staff report on the item and to request the Mayor and Council's approval on whether or not to include grading on the sidewalk project in Block 5 of Anderson Avenue. Director Simoneau summarized the history of the issue regarding Anderson Avenue Drainage. The Mayor and Council reviewed Anderson Alley issues on February 4, 2013 and February 25, 2013. As a result of the meeting, the Mayor and Council directed staff to work with the residents who were most impacted by the drainage concerns and by potential drainage improvement options to develop a compromise solution.

A public meeting was held on January 11, 2011. A letter inviting comments on the drainage issues was sent to the Block 5 residents and the residents along the south side of Anderson Avenue on April 11, 2013. Director Simoneau advised the Mayor and Council that a new option had been developed based on staff discussions with the owners of 303 Anderson and 304 Anderson Avenue. The new option was a modification of an alternative previously presented to the Mayor and Council and would entail grading on 303 Anderson Avenue in conjunction with the sidewalk construction. This option would reduce storm flow by approximately 30% as noted in the diagram shown by Director Simoneau. Director Simoneau closed by stating his support of the recommendation, and was requesting official action on the issue by the Mayor and Council. Mr. Simoneau noted that the proposed sidewalk construction of the project with or without the proposed grading should be completed before winter sets in at the end of the calendar year.

The Mayor and Council allowed for the following residents to speak on the issue:

Ms. Phyllis Wallemeyer provided clarification to the Mayor and Council on her request and stated her concern with the proposed grading that is being considered along with sidewalk construction. She requested that the Mayor and Council do not approve the proposed grading.

Ms. Sue Adams addressed the Mayor and Council on the issue; she noted that she and her husband intend to preserve the trees. Ms. Adams supports the proposal that the Department of Public Works has presented, and wants closure on the drainage issue.

Motion: to accept staff recommendation to construct a sidewalk with limited grading on 303 Anderson Avenue to improve drainage in Block 5 of Anderson.

Moved by Councilmember Pierzchala, seconded by Councilmember Hall, and passed unanimously.

12. Recap and Recommendation - License Plate Reader Program for the City of Rockville

Chief of Police Treschuk provided the Mayor and Council with a brief update and staff report on the item. The City of Rockville participates in the Metropolitan Capitol Region License Plate Recognition System Program along with all other police agencies in Montgomery County (Montgomery County Police Department, City of Gaithersburg Police Department, Village of Chevy Chase Police Department, and Takoma Park Police Department). License Plate Reader (LPR) systems consist of high speed cameras, combined with sophisticated computer algorithms capable of converting the image of a vehicle's license plate into computer readable data. The system compares license plate numbers and letter to a "Hot List" provided by the State of Maryland and notifies the police office when a license plate from the "Hot List" is identified. The LPR is used for crime analysis, crime investigation (such as stolen vehicles, stolen tags, and wanted and missing persons), and Homeland Security functions. Chief Treschuk noted the local retention policies of the following jurisdictions: Montgomery County Police Department, City of Gaithersburg Police Department, Village of Chevy Chase Police Department, and Takoma Park Police Department.

Motion: to direct City of Rockville Police Department to directly send the Rockville City Police License Plate Reader (LPR) data directly from the in-car computer to the Maryland Coordination and Analysis Center (MCAC) Fusion Center. The data would remain on the in-car computer (MDC) for 30 days and would then auto-delete, as is our current practice. The City of Rockville Police Department would not maintain any internal server support stored data on-site.

Motion moved by Councilmember Hall, seconded by Councilmember Mark Pierzchala, and passed unanimously.

13. Adoption of Resolution to Revise and Adopt the City of Rockville Campaign Policy

Assistant City Manager Jenny Kimball provided the staff report for the item. Ms. Kimball noted that staff has reviewed the Campaign Guidelines and provided some revisions. Ms. Kimball noted that the policy was initially adopted in 2003 and modified in 2006 and 2011. She said the purpose of this review and update was to incorporate changes requested by the Mayor and Council since the last election to reflect the City's newer communication tools, to combine provisions of other policies and city practices into one formal policy, and to update and clarify portions of the policy. The Board of Supervisors of Elections was given the opportunity to review the proposed Campaign Guideline, and had no comments to share on the proposal. The Mayor and Council discussed the issue at length, providing comments/suggested corrections to the staff on the proposed policy.

The staff will incorporate the requested and agreed upon revisions for the proposed policy. A revised policy will be prepared and presented to the Mayor and Council at a future meeting for possible adoption of an official resolution.

14. Review and Comment Regarding Mayor and Council Action Report

Councilmember Newton requested a clarification behind the delay in bringing forward the Historic District Commission (HDC) Technical Guide # 7 before the Mayor and Council. City Manager Matthews noted that additional information on the time-line of the item would be provided to the Mayor and Council in their "Week that Was" and she will also follow-up with staff on the timing of the issue. Councilmember Newton requested that there be a conversation with staff prior to their working on a Citizen Forum Policy. The Mayor and Council briefly discussed. Councilmember Pierzchala noted that it was only a research project at this time.

15. Review and Comment Regarding Future Agendas

Mayor Marcuccio noted that item # 13 (Adoption of Resolution to Revise and Adopt the City of Rockville Campaign Policy) will be placed on next week agenda scheduled for Monday, April 29, 2013. Mayor Marcuccio also noted the need to schedule two closed sessions prior to the meetings of May 6, 2013, to handle the annual review of the City Attorney and May 13, 2013, to handle the annual review of the City Clerk.

16. Old/New Business

Councilmember Pierzchala noted the Choice Hotel headquarters recently moved to the City of Rockville. He had been receiving reports from neighbors regarding the difficulty of parking in Town Center. Councilmember Pierzchala requested a report from Federal Realty Investment Trust (FRIT) on how they are managing the parking garages in Town Center. He would like for staff to look into parking for the future for the Town Center with the many variables that affect the current and future parking.

Mayor Marcuccio reported to the Council her troubles and concern with the Saul Ewing Report. She would like to move forward with some results. Mayor Marcuccio has requested that City Manager Matthews come up with an implementation plan for actions that relate to the Saul Ewing Report.

17. Adjournment

There being no further business, the meeting adjourned at 9:49 p.m.

Motion: to adjourn

Moved by Councilmember Moore, seconded by Councilmember Pierzchala, and passed unanimously.